

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (currently amended) A computer-implemented method for determining which advertisements to include with electronic content delivered to users over a network, the method comprising the steps of:

after accepting a first contract with a first advertiser, accepting a second contract with a second advertiser;

wherein the delivery obligations associated with the second contract are such that fulfillment of the second contract would likely prevent the delivery obligations of adversely affect a level of service the first advertiser would otherwise receive under the first contract from being fulfilled;

receiving a plurality of advertisements from a plurality of advertisers;

storing revenue information that indicates potential revenue amounts for the plurality of advertisements, wherein each of the plurality of advertisements is associated with corresponding delivery criteria and a corresponding contract of a plurality of contracts;

wherein the plurality of contracts includes the first contract and the second contract;

wherein the plurality of advertisers includes the first advertiser and the second advertiser;

receiving, from a client that is not one of the plurality of advertisers, a request to provide over the network a piece of electronic content that includes a slot for an advertisement; and

in response to receiving the request, performing the steps of:

one or more computing devices comparing slot attributes of the slot with the delivery criteria of the plurality of advertisements to determine a first subset of the plurality of advertisements that qualify for inclusion in the slot,

wherein the slot attributes of the slot include at least one of (a) the nature of the piece of electronic content, (b) the size of the slot within the piece of electronic content, or (c) the placement of the slot within the piece of electronic content;

the one or more computing devices creating a second subset of advertisements by filtering, out of the first subset, based on behindness values computed for the advertisements, advertisements whose delivery obligations are on track to be satisfied;

wherein the second subset includes a first advertisement associated with the first contract and a second advertisement associated with the second contract;

wherein the second contract is associated with a behindness value that is currently greater than a behindness value associated with the first contract;

wherein the behindness value of each contract reflects how far behind a content provider is on satisfying the delivery obligations associated with each contract; and

selecting the first advertisement from the second subset of advertisements to include in the slot based, at least in part, on the potential revenue amounts;

inserting said first advertisement into the slot to create a modified piece of
electronic content;

delivering, as a response to the request, the modified piece of electronic content
to the user.

2. (original) The method of Claim 1, wherein:
each advertisement of the plurality of advertisements has a corresponding delivery
obligation and a corresponding potential revenue amount.
3. (previously presented) The method of Claim 2, wherein the selecting the first
advertisement to include further comprises:
selecting the first advertisement instead of the second advertisement if the
corresponding potential revenue amount of the first advertisement is higher than
the corresponding potential revenue amount of the second advertisement.
4. (canceled)
5. (original) The method of Claim 1 wherein the piece of electronic content is a web page.
6. (original) The method of Claim 1 wherein the piece of electronic content is a video
stream.
7. (canceled)

8. (currently amended) A computer-readable storage medium storing one or more sequences of instructions which, when executed by one or more processors, causes the one or more processors to perform the steps of:
- storing revenue information that indicates potential revenue amounts for the plurality of advertisements that are received from a plurality of advertisers, wherein each of the plurality of advertisements is associated with corresponding delivery criteria and a corresponding contract of a plurality of contracts;
- wherein the plurality of advertisements include a first contract with a first advertiser and a second contract with a second advertiser;
- wherein the first contract was accepted before the second contract;
- wherein the delivery obligations associated with the second contract are such that fulfillment of the second contract would likely prevent the delivery obligations associated with ~~adversely affect a level of service the first advertiser would otherwise receive under~~ the first contract from being fulfilled;
- receiving, from a client that is not one of the plurality of advertisers, a request to provide over the network a piece of electronic content that includes a slot for an advertisement; and
- in response to receiving the request, performing the steps of:
- comparing slot attributes of the slot with delivery criteria of a plurality of advertisements to determine a first subset of the plurality of advertisements that qualify for inclusion in the slot;
- wherein the slot attributes of the slot include at least one of (a) the nature of the piece of electronic content, (b) the size of the slot within the piece of

electronic content, or (c) the placement of the slot within the piece of electronic content;

creating a second subset of advertisements by filtering, out of the first subset, based on behindness values computed for the advertisements,

advertisements whose delivery obligations are on track to be satisfied;

wherein the second subset includes a first advertisement associated with the first contract and a second advertisement associated with the second contract;

wherein the second contract is associated with a behindness value that is currently greater than a behindness value associated with the first contract;

wherein the behindness value of each contract reflects how far behind a content provider is on satisfying the delivery obligations associated with each contract; and

selecting the first advertisement from the subset of advertisements to include in the slot based, at least in part, on the potential revenue amounts;

inserting said first advertisement into the slot to create a modified piece of electronic content;

delivering, as a response to the request, the modified piece of electronic content to the user.

9. (previously presented) The computer-readable storage medium of Claim 8, wherein each advertisement of the plurality of advertisements has a corresponding delivery obligation and a corresponding potential revenue amount.

10. (previously presented) The computer-readable storage medium of Claim 9, wherein selecting the first advertisement to include further comprises selecting the first advertisement instead of the second advertisement because the corresponding potential revenue amount of the first advertisement is higher than the corresponding potential revenue amount of the second advertisement.
11. (canceled)
12. (previously presented) A computer-readable storage medium of Claim 8, wherein the piece of electronic content is a web page.
13. (previously presented) A computer-readable storage medium of Claim 8, wherein the piece of electronic content is a video stream.
- 14-28. (canceled)
29. (previously presented) The method of Claim 1, further comprising:
exclusively offering a first portion of an inventory, of advertisement slots in electronic content, to buyers that satisfy a set of criteria; and
offering a second portion of the inventory to buyers that are not required to satisfy the set of criteria,
wherein the buyers that satisfy the set of criteria and the buyers that are not required to satisfy the set of criteria are advertisers that provide advertisements.

30. (previously presented) The method of Claim 29, further comprising:
offering less than the entirety of the second portion of the inventory for purchase to the
buyers that are not required to satisfy the set of criteria.
31. (previously presented) The method of Claim 30, further comprising:
setting an initial price that the buyers are allowed to bid on the second portion of the
inventory.
32. (previously presented) The computer-readable storage medium of Claim 8, wherein the
instructions include instructions which, when executed by the one or more processors,
further causes the one or more processors to perform the steps of:
exclusively offering a first portion of an inventory, of advertisement slots in electronic
content, to buyers that satisfy a set of criteria; and
offering a second portion of the inventory to buyers that are not required to satisfy the
set of criteria,
wherein the buyers that satisfy the set of criteria and the buyers that are not required to
satisfy the set of criteria are advertisers that provide advertisements.
33. (previously presented) The computer-readable storage medium of Claim 32, wherein the
instructions include instructions which, when executed by the one or more processors,
further causes the one or more processors to perform the step of:
offering less than the entirety of the second portion of the inventory for purchase to the
buyers that are not required to satisfy the set of criteria.

34. (previously presented) The computer-readable storage medium of Claim 33, wherein the instructions include instructions which, when executed by the one or more processors, further causes the one or more processors to perform the step of:
setting an initial price that the buyers are allowed to bid on the second portion of the inventory.
35. (currently amended) The method of Claim 1, further comprising:
associating each of the plurality of advertisements with a priority class, wherein the priority class associated with each of the plurality of advertisements indicates whether the corresponding advertisement is the subject of a guaranteed contract;
wherein creating the second subset further includes filtering, out of the first subset, advertisements that have a priority class that is lower than the priority class of any other advertisement that belongs to the first subset before filtering advertisements whose delivery obligations are on track to be satisfied.
36. (currently amended) The computer-readable storage medium of Claim 8, wherein the instructions include instructions which, when executed by the one or more processors, further cause the one or more processors to perform the step of:
associating each of the plurality of advertisements with a priority class, wherein the priority class associated with each of the plurality of advertisements indicates whether the corresponding advertisement is the subject of a guaranteed contract;
wherein creating the second subset further includes filtering, out of the first subset, advertisements that have a priority class that is lower than the priority class of

any other advertisement that belongs to the first subset before filtering
advertisements whose delivery obligations are on track to be satisfied.

37. (canceled)